

User Evidence Claim 883 Church Crookham and Ewshott

Appendix 5

Name of User	Dates of Use	Details of Use
Mr. R.J.P. Byrne	1946-2005	Used daily on foot 1946-2005, and occasionally with a bicycle 1946-1967; no break in use; last used 28 th February 2005; used for dog walking on Tweseldown; saw others, locals and strangers on foot and with bicycles; no gates or stiles, no notices; obstructed by barbed wire put in place by Tweseldown Racecourse regime, at Bourley Road end; path still obstructed; no connection with landowner not told not public; not with permission; not stopped or turned back; not in the exercise of a private right; 'recently Tweseldown Racecourse Co. have commandeered an area of approximately 40 metres x 40 metres for use as a dump for old tyres and logs which they use for constructing equestrian obstacles. They have blocked entry to Tweseldown using barbed wire.'
Mrs. C. Crump	1960-2005	Used daily on foot, with no break in use for leisure and exercise; stopped using in 2005 due to disability; saw locals and strangers on foot and with bicycles; no gates and no stiles; notices seen 'only at access points to the Racecourse', first seen in approximately 1995 then renewed in 2004; the racecourse has been encircled with 4-strand barbed wire, and it has been cut in numerous places; no connection with the landowner; not told not public, not with permission; not stopped or turned back; not in exercise of a private right; the 1864 OS shows a footpath running from the Foresters Public House to what is now the Bourley Road.

Mr. V. Hughes	1987-2005	<p>Used on foot from 1987 to 2005 over 100 times a year, and with a bicycle from 1998 to 2004 about 20 times a year, for safe and pleasurable exercise giving access to large area of mature woodland; area mainly unfenced, so many other small paths have occasionally been used and the race course/practice course also walked; used a route to Farnborough on bicycle; last used in March 2005; saw others using the path, locals and others not known, on foot and bicycle; passed through unlocked gates at point A and two other points on path and stile on another path; saw notices saying 'closed to public' and 'danger', still there; path has been obstructed, by barbed wire at A, building rubble, which is still there; no connection to landowner, not told not public, not with permission; stopped by military personnel on exercise in early 1990s; not in exercise of private right; additional comment that 'when the area around Brock's Hill was returned to heathland and fenced, walker access was included at C, D and E, recognising local footpath needs'; and 'the racecourse was regularly walked until very recently when access has only been available to those willing to overcome the barbed wire fences/obstructions. It provides an amenity for easy walking, especially for the frail and elderly.'</p>
Mrs. Jo Loukes	1977-2005	<p>Used various paths round Tweseldown racecourse and within it on foot from 1977 to 2005 about 250 times a year; break in use during foot and mouth outbreak; used for walking dog, and last used 27th July 2005 (two days before form filled in); saw locals on foot; passed through unlocked gate and climbed over stiles (has used extensive network of paths); saw two signs, one approximately 5 years before, and one three months ago (form says 'see separate sheet' but no sheet available); signs still there; claimed path obstructed by barbed wire and felled trees, and is still obstructed 'in some places'; no connection with landowners, not told not public; not stopped or turned back; used without permission and not in exercise of a private right</p>

Mr. James Lunn	1949-2005	<p>Used from 1949 to 2005 on foot more than 300 times a year, and during the same period with a bicycle 'occasionally'; used same route consistently; has been a break in use but not specified; used for leisure and recreation; last used 2nd March 2005; saw locals and strangers on foot and with bicycles; not passed through gates or climbed over stiles; no notices seen; path obstructed with barbed wire, rubbish, cut trees and a fence in late February 2005; path still obstructed; no connection with landowner, and not told not public; not used with permission or in exercise of a private right; refers to Ordnance Survey maps dating from 1864 'these are in the public domain and are marked as paths or trails'; comments 'since time immemorial these tracks have been used without question. I have always been aware that since the 1850s this has been courtesy of the W/D/MOD'</p>
Mrs. C.S. Peace	1986-2005	<p>Has used paths all over the area, including the claimed route, from 1986 to 2005, on foot, daily; only breaks in use have been during holidays used for exercise and dog-walking; saw locals and strangers, on foot, horseback, with bicycles and vehicles; has passed through locked gates 'only recently where cows were put'; climbed over stiles (has used extensive network, including claimed path); saw signs saying 'entry prohibited' and 'words to same effect' a few years ago, which are still there; path obstructed with 4 strands of barbed wire; path still obstructed, but gaps have been created; no connection with landowner; has been told not public at various times 'by several workers employed by those leasing the racecourse'; has asked permission of workers on the racecourse 'from time to time in the past'; not in exercise of a private right</p>
Mrs. Rosie Thornett	1983-2005	<p>Used on foot from 1983 to 2005, at least once a week, without a break in use; used for walking with dog and family; saw locals and strangers on foot; no gates or stiles; not noticed any signs until recently; path obstructed by trees piled up and then a barbed wire fence, but still partially obstructed; no connection with landowner, and not told not public; not with permission and not in exercise of a private right; comments 'I have been using all the paths over and around Tweseldown Racecourse for over 20 years to walk with my family and dog'</p>